

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bogdanove et al.
Serial No. : Division of 09/120,663

Filed : Herewith

For : HYPERSENSITIVE RESPONSE ELICITOR
FROM *ERWINIA AMYLOVORA*, ITS USE, AND
ENCODING GENE

Examiner:
To Be Assigned

Art Unit:
To Be Assigned

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Box: Patent Application

Dear Sir:

Please amend the above-identified patent application as follows:

In the Specification:

Page 1, line 4, after "This application", please insert: + is a division of U.S. Patent 6,228,644
Patent Application Serial No. 09/120,663, filed July 22, 1998, and --.

Page 38, line 2, delete ", and the operon, *dspE*".


Page 40, line 25, delete "competing" and insert --completing--.

In the Claims:

Please delete claims 1-16 and 29-37.

Respectfully submitted,

Date: June 19, 2000


Edwin V. Merkel
Registration No. 40,087

NIXON PEABODY LLP
Clinton Square, P.O. Box 31051
Rochester, New York 14603
Telephone: (716) 263-1128
Facsimile: (716) 263-1600